

CHAPTER 1081

REGULATION OF MILK

H.F. 2249

AN ACT relating to the regulation of milk and increasing certain fees.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 194.3, subsection 2, Code 1991, is amended to read as follows:

2. "Milk used for manufacturing purposes" means milk or milk products manufactured into butter, cheese, ungraded dry milk, or other dairy products except milk and milk products as defined in chapter 190 the Grade "A" Pasteurized Milk Ordinance provided in section 192.102.

Sec. 2. Section 194.4, unnumbered paragraph 3, Code 1991, is amended to read as follows:

At least four times in every six-month period once within each thirty days a test shall be made of each a producer's milk to determine the existence of evidence of production from mastitic cows. The secretary shall determine and ~~promulgate~~ adopt the standards and methods of testing the milk for this purpose ~~being~~. The secretary shall be guided by recommendations or regulations established by federal agencies regulating in this field.

Sec. 3. Section 194.6, unnumbered paragraph 2, Code 1991, is amended to read as follows:

For the purpose of quality improvement and payment, the following classifications of milk for bacterial estimate are applicable:

Bacterial Estimate Classification	Standard Plate Count or Equivalent
Class 1	Not over 300,000 <u>100,000</u> per Milliliter
Class 2	Not over 1,000,000 <u>300,000</u> per Milliliter
Undergrade	Over 1,000,000 <u>300,000</u> per Milliliter

Sec. 4. Section 194.8, Code 1991, is amended to read as follows:

194.8 UNACCEPTABLE MILK.

Milk acceptable from the standpoint of organoleptic examination, containing no excessive extraneous matter and classified in excess of one million three hundred thousand for bacterial estimate, may be used in the processing and manufacturing of dairy products for human consumption for a period of seven consecutive days.

After a week another quality test must be run performed on this the producer's milk, and if the milk has not improved to class 2 or better, similar tests must be made at least one day per week for three successive weeks. If after the fourth weekly test the milk from the producer has not improved to class 2 or better, no plant shall accept milk from this producer for the manufacture of dairy products for human consumption until the secretary has authorized the producer's reinstatement. Any further acceptance of milk from this producer shall be on the basis of testing the first shipment for extraneous matter and bacterial estimate to determine if the milk is class 2 or better. If two of the last four consecutive bacterial counts exceed the class 2 standard, the department shall deliver, or require the purchaser to deliver, a written notice to the producer. An additional sample shall be taken at least three days after taking the previous sample, but within twenty-one days following delivery of the notice. The department shall immediately suspend the permit of the producer or immediately institute legal proceedings to restrain production if the class 2 standard is violated according to three of the last five bacterial counts.

Sec. 5. Section 194.9, Code 1991, is amended to read as follows:

194.9 UNLAWFUL MILK.

Milk, which from the standpoint of organoleptic examination is not acceptable, or which contains excessive extraneous matter or which by ~~four weekly~~ three out of five bacterial estimate tests is classified in excess of ~~one million~~ three hundred thousand, or which contains material evidencing production from a mastitic cow, or which contains chemicals, medicines, or radioactive agents deleterious to health, is unlawful for the manufacture of dairy products for human consumption.

Sec. 6. Section 194.12, Code 1991, is amended to read as follows:

194.12 MILK GRADER.

Every A creamery, cheese factory and, or milk processing plant must employ at least one person who is duly licensed as a grader of milk. A person acting as a milk hauler or a field representative shall also be licensed as a milk grader.

Sec. 7. Section 194.14, Code 1991, is amended to read as follows:

194.14 LICENSE TERM — FEES.

A milk grader's license, unless sooner revoked, is valid until July 1 after date of issuance. The maximum fee for each license is ~~three ten~~ dollars, which shall be paid before the license is issued. Fees collected under this section shall be deposited in the milk fund established in section ~~192.47~~ 192.111.

Sec. 8. Section 194.20, Code Supplement 1991, is amended to read as follows:

194.20 INSPECTION FEES — GRADE "B" MILK.

A purchaser of milk from a grade "B" milk producer shall pay an inspection fee not greater than one-half cent per hundred weight. The fee is payable monthly to the department at a time prescribed by the department. A fee imposed by this section shall not be paid on milk by a person administering the inspection pursuant to an inspection contract as provided in section 192.108. Fees collected under this section shall be deposited in the milk fund established in section 192.111.

Approved April 14, 1992

CHAPTER 1082**SCHOOL BUS INSPECTIONS**

H.F. 2298

AN ACT relating to school bus inspections and providing for repeal of the Act.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321.374, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department of education shall perform annual safety inspections of school buses manufactured prior to April 1, 1977. A school bus manufactured prior to April 1, 1977, which has been issued an inspection seal of approval under this section shall be used for standby or emergency purposes only. The number of school buses which were manufactured prior to 1977 in use as allowed under this section shall be reduced by fifty percent, rounded up to the nearest whole school bus, by June 30, 1993, and all such school buses shall be eliminated for use by June 30, 1994.

Sec. 2. The portion of section 321.374 enacted in this Act is repealed effective June 30, 1994.

Approved April 14, 1992